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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

PETER DELVECCHIA, et al.,) **Case No: 2:19-CV-01322-KJD-NJK**
Plaintiffs,)
vs.)
FRONTIER AIRLINES, INC., et al.,) **STIPULATED MOTION TO
Defendants.) EXTEND DEADLINES**

Plaintiffs, Peter DelVecchia individually and as next friend of A. D., a minor, and Defendant Frontier Airlines, Inc. (“Frontier”), the only Defendant that has been named in the Complaint (ECF No. 1) and has appeared in this civil action,¹ hereby file this Stipulated Motion to Extend Deadlines, seeking to extend the deadlines to disclose initial and rebuttal experts, the discovery cutoff deadline,

¹ Plaintiffs have filed a Motion for Leave to Amend the Complaint (ECF No. 39) to, *inter alia*, name the additional Defendants.

1 and the deadline to file the interim status report, dispositive motions, and the joint proposed pretrial
2 order stated in the Court's Scheduling Order (ECF No. 30), by 90 days each. Thus, the parties seek to
3 extend these deadlines as follows:

- 4
- 5 • Extend the deadline to disclose initial experts from December 26, 2019 to **March 25, 2020**;
 - 6 • Extend the deadline to file interim status report from December 26, 2019 to **March 25, 2020**;
 - 7 • Extend the deadline to disclose rebuttal experts from January 27, 2020 to **April 27, 2020**;
 - 8 • Extend the discovery cutoff date from February 24, 2020 to **May 25, 2020**;
 - 9 • Extend the deadline for dispositive motions from March 25, 2020 to **June 23, 2020**; and
 - 10 • Extend the deadline to file the joint proposed pretrial order from April 24, 2020 to **July 23,**
11 **2020.**

13 The primary reason for this motion is that, despite the best efforts of counsel on both sides,
14 depositions of the flight crew members could not be scheduled until the weeks of December 2-6 and
15 9-13, 2019. Frontier has stated that this was because the flight crew members were already committed
16 to work schedules requiring them to crew daily flights throughout the month of November. Plaintiffs
17 intend to call experts who will need to review the flight crew deposition testimony prior to drafting
18 opinions. The current deadline of December 26, 2019 for initial expert opinions would not provide
19 sufficient time to complete the depositions and obtain the transcripts so that they can be reviewed by
20 the experts. In addition, Plaintiffs had to cancel the deposition of Plaintiff A.D., which was scheduled
21 to occur on November 20, 2019. It is unknown when he will be able to have his deposition taken, as
22 he will need to be seen by a specialist prior to doing so. Further, some of the documents Plaintiffs
23 have requested in written discovery have been marked as Sensitive Security Information (SSI) by the
24 Transportation Security Administration (TSA). Thus, Frontier must request written permission from
25 the administrator of the TSA authorizing release of these materials, before they can be produced to
26
27
28

1 Plaintiffs. Finally, Fed. R. Civ. P. 35 examinations of Plaintiffs, to the extent agreed to by Plaintiffs
 2 or ordered by the Court, can only take place after the depositions of Plaintiffs have been completed,
 3 and Plaintiff A.D. has not yet been presented for deposition. The additional time sought by this
 4 motion will allow the parties to complete these tasks.
 5

6 The parties have been diligently working to complete fact discovery. Written discovery is
 7 ongoing, and the depositions of Plaintiff Peter DelVecchia and three fact witnesses have been
 8 completed. Additionally, the parties have scheduled another eight depositions for the first two weeks
 9 of December. A Rule 30(b)(6) deposition of Frontier will be scheduled for January. Despite the
 10 parties' best efforts, additional time is needed to complete fact and expert discovery. The parties note
 11 that the first deposition took place in Greenville, North Carolina, the next three depositions took place
 12 in Raleigh, North Carolina, and the next nine depositions will proceed in at least three additional
 13 cities (Salt Lake City, Las Vegas and Denver). The parties and their counsel are working
 14 expeditiously to conduct discovery and to otherwise comply with the Court's Scheduling Order. This
 15 is the first motion to a continuance filed in this case
 16

17 DATED this 27th day of November, 2019.
 18

19 /s/ John D. McKay
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IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE

DATED: